

RECEIVED
CENTRAL FAX CENTERREMARKS

JUL 13 2007

Claims 1-27 are pending. Independent claims 1, 18, 21, and 24 are amended.

Independent claim 27 is newly added. The other pending claims are unchanged.

Claim Rejections - 35 U.S.C. §101

Claims 1-26 were rejected under 35 U.S.C. §101 for not producing a "useful, concrete and tangible result." Applicant respectfully disagrees. For instance, the computer-implemented method defined in claim 27 provides a promotional offering, and includes "awarding one or more individuals in the further subset with the promotional offering." This feature is supported in the specification, for example, at page 19, lines 1-7.

The remaining independent claims, 1, 18, 21, and 24, have been amended to recite similar features as new claim 27. Reconsideration is respectfully requested.

Claim Rejections - 35 U.S.C. §112

Claim 3 was rejected under 35 U.S.C. §112, first paragraph, as not enabled in the specification. Applicant respectfully disagrees. A query attribute that is used to find similar individuals can also be in the group of attributes that is used to find differences between individuals. For instance, in one embodiment described in the specification, a query attribute is the Total Amount Played (page 15, Table 1). The query identifies similar individuals whose Total Amount Played exceeds \$500, thus defining a first subset. A further query on the first subset distinguishes individuals within that subset whose Total Amount Played exceeds \$1000, thus defining a further subset, as illustrated in Fig. 4B. A casino might create one reward for all players in the first subset, and a further reward for those players who are also in the further subset. Reconsideration is respectfully requested.

Claims 9-11, dependent on claim 1, were rejected as lacking the step of forming subsets. Applicant believes the amendments to claim 1 address this rejection. Reconsideration is respectfully requested.

Claims 1-4, 18, and 21 were rejected as being narrative and indefinite. Applicant believes the amendments to claims 1, 18, and 21 address this rejection. Reconsideration is respectfully requested.

Claim Rejections - 35 U.S.C. §103

Claims 1-26 were rejected under 35 U.S.C. §103(a) as obvious in view of Dandurand ("Market Niche Analysis In the Casino Gaming Industry," Journal of Gambling Studies, Vol. 6(1), Spring 1990), considered alone and in combination with Sheppard (U.S. Patent No. 6,026,397).

Applicant respectfully requests reconsideration in view of the following.

Claim 27 defines a method including the following features:

querying the relational database to determine a first subset of the individuals having a first at least one of the plurality of attributes in common;

querying the relational database to determine a further subset of the first subset of the individuals having a second at least one of the plurality of attributes in common;

identifying selected ones of the plurality of attributes shared by the individuals in the further subset to define a promotional offering in association with the identified selected ones of the plurality of attributes shared by the individuals in the further subset; and

awarding one or more individuals in the further subset with the promotional offering.

Embodiments of the method defined in claim 27 provide several benefits. For example, individuals in the first subset share certain attributes, allowing a promotional offering to precisely reflect the attributes of the players to whom it is offered. (page 19, lines 1-7). "The

marketing or promotional strategy . . . may then be refined based on any of the SRPs identified." (page 19, lines 1-2). Another benefit is ease of analysis and computation. Grouping individuals based on parameter differences and similarities does not require excessive time, resources, research, or data interpretation. (page 18, lines 14-20). This efficiency allows marketing and promotional strategies to be precisely targeted and changed without further analytical effort, such as complex statistical analysis.

Dandurand fails to disclose or suggest features of claim 27, such as "querying the relational database to determine a further subset of the first subset of the individuals having a second at least one of the plurality of attributes in common." Rather, Dandurand suggests characterizing a group of players according to average statistical information and determining a marketing strategy based on those statistical averages. (Dandurand, p. 84, P 2). However, the problem remains that not all individuals in the group will share the average characteristics for the group. (See Dandurand, p. 83, Table 2). In Dandurand's example, the "typical" premium slot player may desire "personal attention, a comfortable seat, a place to guard her purse, a clean playing area, and a well-lighted alcove of the casino." (Dandurand, p. 84, P 2). However, there may be players in the same premium group who would prefer different accommodations since "[e]ach consumer is unique and has different preferences." (Dandurand, p. 85, P 1). By the same token, Dandurand teaches modifying accommodations to account for average characteristics of niche groups, not defining "a promotional offering in association with the identified selected ones of the plurality of attributes shared by the individuals in the further subset," as recited in claim 27.

Sheppard fails to disclose awarding a promotional offering in a gaming environment based on shared attributes, and makes no mention of features such as "identifying selected ones of the plurality of attributes shared by the individuals in the further subset to define a promotional offering in association with the identified selected ones of the plurality of attributes

RECEIVED
CENTRAL FAX CENTER

JUL 13 2007

shared by the individuals in the further subset." Sheppard describes a complex but generic clustering analysis of data records. Thus, for example, Sheppard does not provide for grouping players by shared attributes and distinguishing players by mutually exclusive differences, as provided by embodiments of claim 27. (page 19, lines 1-4). Such a grouping allows the determination of promotional offerings more specifically tailored for each customer, thus ensuring optimal distribution and efficient use of a casino's promotional resources. (page 19, lines 4-7).

Because claim 27 recites features which Dandurand and Sheppard fail to teach, considered alone or in combination, claim 27 is patentable in view of the cited references.

Independent claims 1, 18, 21, and 24, have been amended to recite similar features as claim 27. Accordingly, the rejections of these claims under 35 U.S.C. §103 should be withdrawn for similar reasons as above. Reconsideration is respectfully requested.

The remaining dependent claims incorporate the features of the independent claims on which the dependent claims are based. Therefore, the rejections of the dependent claims should be withdrawn for at least the same reasons as claims 1, 18, 21, and 24.

CONCLUSION

The claims are believed to be in condition for allowance. Accordingly, allowance of the claims at the earliest possible date is requested.

If prosecution of this application can be assisted by telephone, the Examiner is requested to call the undersigned attorney at (510) 663-1100.

Applicant does not believe that any additional fees are required to facilitate the filing of this Amendment. However, if it is determined that such fees are due, please charge such additional fees to Deposit Account No. 500388 (Order No. IGT1P048).

Respectfully submitted,

BETTER WEAVER LLP

John F. Griffith

Reg. No. 44,137

P.O. Box 70250
Oakland, CA 94612-0250